

**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS**

MARK SCHAND, et al.,

Plaintiff,

v.

CITY OF SPRINGFIELD, et al.,

Defendants.

Case No. 3:15-cv-30148

The Honorable William G. Young

JOINT STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

WHEREAS on September 30, 2019 the Court entered a judgment for Plaintiff Mark Schand and against Defendants Elmer McMahon, Michael Reid. Raymond P. Muise, and Leonard Scammons¹ (the “Defendants”) in the amount of \$26,677,000. [Dkt. No. 244]

WHEREAS this Court denied Defendants’ post-trial motions for judgment as a matter of law or, in the alternative, motion for a new trial or remittitur. [Dkt. No. 312]

WHEREAS on September 16, 2020, this Court awarded Plaintiff an additional \$443,062.20 in attorneys’ fees and costs. [Dkt. No. 312]

WHEREAS on September 30, 2020, Plaintiff filed a motion for a writ of execution in this action. [Dkt. No. 313]

WHEREAS the parties and the City of Springfield have since entered into a settlement agreement to resolve all pending claims this action.

IT IS HEREBY STIPULATED AND AGREED, by and among all parties and the City of Springfield, that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the above-

¹ Mr. Scammons passed away in December 2019 and Plaintiff has filed a motion to substitute the representative of Mr. Scammons’ estate into this action. [Dkt. No. 308].

captioned action be dismissed in its entirety as to all Defendants, with prejudice, and that each party shall bear its own costs and attorney's fees.

SO ORDERED.

Dated: _____

Honorable William G. Young
United States District Judge
District of Massachusetts

Dated: December 28, 2020

**THE DEFENDANT,
City of Springfield**

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By: /s/ Lisa C. deSousa
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**THE DEFENDANT,
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**THE DEFENDANT,
Michael Reid**

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**THE DEFENDANT,
Raymond Muisse**

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**THE DEFENDANT,
Elmer McMahon**

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**THE PLAINTIFF,
Mark Schand**

By: /s/ Joshua D. Weedman
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CERTIFICATE OF SERVICE

I, Joshua D. Weedman, hereby certify that a correct copy of the foregoing stipulation was filed electronically on December 28, 2020. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Joshua D. Weedman
Joshua D. Weedman